

NIEMI
Serial No. 10/043,280
December 15, 2004

REMARKS

Favorable reconsideration and allowance of this application are requested.

By way of the amendment instructions above, the claims pending herein have been revised so as to employ language which is more commensurate to US practice and to address the objections and rejections under 35 USC §112 advanced by the Examiner in the Official Action dated June 17, 2004.

Claims 1-20 therefore remain pending herein in amended form for which favorable action is solicited.

The only issues remaining to be resolved in this application are the Examiner's art-based rejections. Specifically, original claims 1-9 attracted a rejection under 35 USC §103(a) as allegedly being unpatentable over Niemi (WO 99/20521), while claims 10-14 and 16-19 attracted a rejection under this same statutory provision based on Niemi in view of Schiff et al (US 2003/0187705). Claims 15-20 attracted a separate rejection under 35 USC §103(a) based on Niemi and Schiff in view of LaBrie et al (US 2002/0055872).

As will become evident from the following discussion, all claims pending herein are in condition for allowance.

At the outset, the Examiner says on page 3 of the Official Action that the phrase: "the maximum number of clients C is greater than the number of transport personnel A" is not written as a structural feature and therefore has been given no patentable weight. Applicant respectfully disagrees. In this regard, applicant notes that the number A defines the size of transport means and transport premises, while the number C defines size of the functional premises. This kind of sized premises (e.g. restaurants, hotels) are commonly and very clearly defined by the ***maximum number*** of persons they are

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dimensioned for. These numbers therefore clearly and unequivocally distinguish the structure of the invention over the applied prior art.

With the amendment to claim 1, indicated above, applicant submits that also the phrase "the functional premises of the building are not arranged to meet the safety regulations required of a waterborne vessel" has to be given patentable weight. Again, this phrase does not teach a manner in which the claimed building is intended to be employed. Instead, the phrase describes the structure of the functional premises – namely, such premises do not comprise means to meet the safety regulations.

Hence, none of the cited prior art indicates a building of the kind claimed herein. Moreover, the applied Niemi reference is silent about the dimensions of its premises.

In claim 7, the phrase "two or more additional buildings are delivered to the same second location from more than one first location" is not a duplication of the idea of claim 5. In this regard, at least two of the buildings of claim 1 are transported and they start their transportation from at least two different places. The at least two places are thus not a duplication of each other. Once again, the prior art fails to discuss such a system.

Neither Schiff nor LaBrie cure the deficiencies of the applied Niemi reference. Specifically, neither Niemi nor Schiff teach what applicant defines in pending claim 10 -- namely, that the "...database is arranged to contain information on the geographical location, on a certain date, of at least one building to be reserved, the location data being arranged so that it can be changed using the means disclosed under ee)."

It therefore follows that it cannot be obvious to a person of ordinary skill in the art to arrive at the subject matter noted above after such person has already combined Niemi and Schiff and LaBrie. Especially, there is no indication in the applied art

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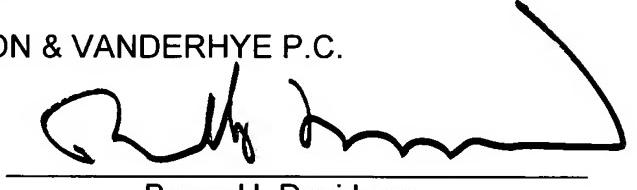
references of the ability to have geographical location of the building maintained in the database of the system.

In view of the amendments and remarks above, applicant suggests that this application is in condition for allowance, and Official Notice to that effect is solicited.

Respectfully submitted,

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